



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2339 of 2026

Manoj Kumar Barik ***Petitioner(s)***

Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha ***Opposite Party(s)***

Ms. Suvalaxmi Devi, ASC

BLAPL No.2361 of 2026

Anila Jena ***Petitioner(s)***

Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha ***Opposite Party(s)***

Ms. Suvalaxmi Devi, ASC

CORAM: JUSTICE SIBO SANKAR MISHRA

Order
No.
02.

ORDER
05.05.2026

1. Since both the bail applications arise out of the same F.I.R. and involve the same issues, they are taken up together and are being disposed of by this common order.
2. Heard.



3. The petitioners are the accused in connection with Khallikote P.S. Case No.724 of 2025 corresponding to Spl. G.R. Case No.19 of 2025(N) registered on the allegation of the commission of the offence under Section 20(b)(ii)(C) of the N.D.P.S. Act pending in the Court of the learned Additional Sessions Judge-cum-Judge Special Judge, Khallikote.

4. The petitioners had approached the learned Court below praying for grant of bail. The learned Court below vide its order dated 05.03.2026 has rejected the bail application of the petitioners. Being aggrieved, the petitioners have filed the present petition under Section 483 of B.N.S.S., 2023 praying for enlargement on bail.

5. Learned counsel for the petitioners, on instruction from the petitioners, submits that, except the present bail application, no other bail application of the petitioners are pending in any other Court relating to the aforesaid F.I.R.

6. On 02.09.2025 at about 10:25 A.M., the informant lodged a written report stating, inter alia, that while he along with other staff members, were on



patrolling duty, they apprehended two persons who were caught red-handed transporting 24 kg of contraband ganja in a brown-coloured trolley bag on a Suzuki Access 125 scooter. Hence, this case.

7. Learned counsel for the petitioner submits that 24 kgs. of contraband ganja were allegedly recovered from the present petitioners. He further submits that except the present case, the petitioners have no criminal antecedents and he has mentioned the same in paragraph-4 of the bail application. He further submits that the petitioner No.1-Manoj Kumar Barik is the rider and the petitioner No.2-Anila Jena is the pillion rider of the vehicle from whom the contraband has been allegedly recovered. The petitioners are in custody since 02.09.2025.

8. Ms. Suvalaxmi Devi, learned Additional Standing Counsel for the State has produced the case diary, which indicates that the petitioners have no criminal antecedents. She further submits that 24 kgs. of contraband ganja was seized from the possession of the petitioners, which is more than the commercial



quantity, therefore, barred under Section 37 of the N.D.P.S. Act. Hence, she opposes the prayer for bail.

9. Regard being had to the period of custody from 02.09.2025, the nature of accusation and the quantity of contraband seized, I am inclined to admit the petitioners on bail.

Hence, the petitioners are directed to be released on bail by the Court in seisin over the matter in the aforesaid case on such terms and conditions as it would deem just and proper, subject to the following additional conditions:-

- (i) The petitioners shall report before the concerned Police Station being physically present between 10 am to 1 pm once a month on last Sunday of every month for six months.
- (ii) They shall not leave the jurisdiction of the trial Court till disposal of the trial.
- (iii) They shall appear before the trial Court on each date on which the case is posted for trial.
- (iv) They shall not tamper with the evidence in any manner whatsoever.



(v) They shall be released on bail subject to verification of similar type of antecedents, if any.

Violation of any of the conditions shall entail consideration for cancellation of the bail granted to the petitioner. In the event, any of the bail conditions are violated by the petitioner, the prosecution is given liberty to move appropriate application before the Court below for recalling the concession of bail. If such application is moved, the trial Court should decide the application on its own merit.

10. The BLAPL is accordingly disposed of.

(S.S. Mishra)
Judge

Swarna

Signature Not Verified

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Signed by: SWARNAPRAVA DASH
Reason: Authentication
Location: High Court of Orissa
Date: 06-May-2026 12:25:12

